

## FOURTH DAY.

(Tuesday, January 20, 1931.)

The House met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Adams of Harris.	Harrison
Adams of Jasper.	of El Paso.
Adamson.	Harrison
Adkins.	of Waller.
Akin.	Hatchitt.
Albritton.	Hefley.
Alsup.	Herzik.
Anderson.	Hill.
Baker.	Hines.
Barron.	Holder.
Beck.	Holland.
Bedford.	Holloway.
Bond.	Hoskins.
Bounds.	Howsley.
Boyd.	Hubbard.
Bradley.	Hughes.
Brice.	Jackson.
Brooks.	Johnson
Bryant.	of Dallam.
Burns	Johnson
of McCulloch.	of Dimmit.
Burns of Walker.	Johnson of Morris.
Carpenter.	Jones of Atascosa.
Caven.	Jones of Shelby.
Claunch.	Justiss.
Coltrin.	Kayton.
Coombes.	Keller.
Cox of Lamar.	Kennedy.
Cox of Limestone.	Laird.
Cunningham.	Lasseter.
Dale.	Lee.
Daniel.	Lemens.
DeWolfe.	Leonard.
Dodd.	Lilley.
Donnell.	Lockhart.
Dowell.	Long.
Dunlap.	McCombs.
Dwyer.	McDougald.
Elliott.	McGill.
Engelhard.	McGregor.
Farmer.	Magee.
Farrar.	Mathis.
Ferguson.	Metcalf.
Finn.	Moffett.
Fisher.	Moore.
Forbes.	Morse.
Ford.	Munson.
Fuchs.	Murphy.
Gilbert.	Nicholson.
Giles.	Olsen.
Goodman.	Patterson.
Graves.	Petsch.
Greathouse.	Pope.
Grogan.	Ramsey.
Hanson.	Ratliff.
Hardy.	Ray.
Harman.	Reader.

Richardson.	Terrell
Rogers.	of Cherokee.
Rountree.	Terrell
Sanders.	of Val Verde.
Satterwhite.	Towery.
Savage.	Turner.
Scott.	Van Zandt.
Shelton.	Vaughan.
Sherrill.	Veatch.
Smith of Bastrop.	Wagstaff.
Smith of Wood.	Walker.
Sparkman.	Warwick.
Stephens.	Weinert.
Stevenson.	West of Cameron.
Steward.	West of Coryell.
Strong.	Wiggs.
Sullivant.	Wyatt.
Tarwater.	Young.

Absent.

Mehl. Westbrook.

Absent—Excused.

Davis.	Martin.
Duvall.	O'Quinn.

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

LEAVES OF ABSENCE  
GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. O'Quinn for this morning, on motion of Mr. Long.

Mr. Martin for yesterday and today, on motion of Mr. Anderson.

Mr. Davis for today, on motion of Mr. Savage.

The following member was granted leave of absence on account of illness:

Mr. Duvall for today and tomorrow, on motion of Mr. Patterson.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, January 20, 1931.  
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 1, A bill to be entitled "An Act to repeal Chapter 81 of the General Laws of the State of Texas, and declaring an emergency."

S. C. R. No. 2, Relating to the amendment of the Rules of the Senate.

S. C. R. No. 8, Commendatory of Brigadier General R. L. Robertson, Adjutant of Texas.

S. C. R. No. 6, With reference to expenses of inauguration ceremonies.

Respectfully,

JOHN B. DuPRIEST,  
Assistant Secretary of the Senate.

**TENDERING THANKS TO BRIGADIER GENERAL ROBERT LAMAR ROBERTSON.**

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 8, Extending thanks to Brigadier General Robert Lamar Robertson.

Whereas, Brigadier General Robert Lamar Robertson is soon to retire to private life after four years of efficient and illustrious service as Adjutant General of the State of Texas; and

Whereas, General Robertson has effectively and without seeking publicity maintained and increased the prestige of the Ranger Force and the Texas National Guard during his administration; and

Whereas, It is fitting that such a high record be made permanent in this body in appreciation of service honorably discharged and as an example to all in service of the State, which record is as follows:

"General Robertson is a native Texan. He was born in Gonzales county of Southern parentage. He is a graduate of the public schools of Texas and of Texas A. & M. College. After graduation he entered business in Gonzales with his father, where he remained until he entered the service of his country.

"Immediately after the declaration of war he entered the First Officers' Training Camp at Leon Springs, Texas, May, 1917. He served with distinction overseas as captain of infantry, Thirty-sixth Division. He led his company in action in the Meuse-Argonne offensive, Champagne front.

"With the reorganization of the Thirty-sixth Division, Texas National Guard, after the World War, Robert Lamar Robertson was made major of infantry, Texas National Guard, and assigned to duty as battalion commander, 141st Infantry Regiment.

"When the Hon. Dan Moody was inaugurated as Governor, January,

1927, the office of Adjutant General of Texas and Brigadier General, Texas National Guard, was tendered Major Robertson without his solicitation.

"Numerous accomplishments fill the administration of General Robertson. Every effort was put forth to build up and increase the value of the justly famed Texas Rangers. At the General's request the Forty-first Legislature increased their pay. Care was exercised in all uses of the Rangers, and no criticism has been made of improper exercise of that authority in general cases or under martial law. General Robertson exhibited rare tact and consideration in all martial law reigns, with National Guard troops as well. Order restored with as little interference with the citizenship as possible.

"After General Robertson assumed the duties of his office the Federal property accountability records of the Guard were found to be in a chaotic condition. It was by a general physical inventory of the property in the hands of all units of the Texas National Guard that very few of the records of these organizations agreed with those in the office of the United States property and disbursing officer. As a result of his efforts in this direction, Texas has given a full property clearance by the War Department for the first time since the World War, amounting to a total of \$142,-319.93.

"During the last Federal army inspection of the National Guard, not a single one of the 163 units was rated 'unsatisfactory,' and 144 of them, or 88.3 per cent, received ratings of 'very satisfactory,' the highest possible rating." Therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That General Robert Lamar Robertson is tendered the thanks of the State of Texas for the high type of service rendered his State and Nation through the efficient administration of the affairs of the Ranger Force and the Texas National Guard during his tenure of office; be it further

Resolved, That a copy of this resolution, signed by the President and Secretary of the Senate and the Speaker and Chief Clerk of the House, with the seal of the State of Texas thereon, be mailed General Robertson.

The resolution was read second time and was adopted.

**RELATIVE TO HOUSE RULES.**

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 2, Relative to order of procedure.

Whereas, At the general election on November 4, 1930, Section 5, of Article III, of the Constitution of Texas, was amended so as to hereafter read as follows, to wit:

"The Legislature shall meet every two years at such time as may be provided by law and at other times when convened by the Governor. When convened in Regular Session, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointees of the Governor and such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, that during the succeeding thirty days of the Regular Session of the Legislature the various committees of each house shall hold hearings to consider all bills and resolutions and other matters then pending; and such emergency matters as may be submitted by the Governor; provided further, that during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, however, either house may otherwise determine its order of business by an affirmative vote of four-fifths of its membership."

Whereas, Under said amendment it is specifically provided that either house may determine its order of business by an affirmative vote of four-fifths of its membership; therefore, be it

Resolved by the Senate by an affirmative vote of four-fifths of its membership, the House of Representatives concurring by an affirmative vote of four-fifths of its membership, That the order of business is hereby determined to be governed by the general rules of the respective houses, except in so far as they do not conflict with the following special rules, which are hereby adopted.

**Rule I.**

It shall be in order to introduce bills or resolutions during the first

sixty days of the session and have the same referred to a proper committee.

**Rule II.**

After the first sixty days of the Regular Session no bills shall be introduced except local bills as herein-after defined emergency appropriations, acting upon appointees of the Governor (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature, unless otherwise directed by an affirmative vote of four-fifths of the membership of the house in which the bill is first introduced.

**Rule III.**

Local bills may be introduced at any time and considered at any time by the committee to which they have been referred and reported by said committee and considered and disposed of by the house in which said bill is pending in the due order of business as determined by the general rules of the house in which the bill is pending. A local bill is defined by the purposes of this rule as an act the provisions of which relate to or affect directly a defined locality, district or section of the State but which does not affect directly the State at large, and the operations of which is confined to a particular locality, district or section of the State.

**Rule IV.**

Local bills, emergency appropriations acting upon the appointees of the Governor (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature may be considered and disposed of at any time by either house under the general rules and order of business.

**Rule V.**

During the first sixty days of the Regular Session, under the general rules of either house and in the due order of business, either house may take up, consider and dispose of any bill not of the nature named in the foregoing Rule IV by an affirmative vote of four-fifths of the membership.

**Rule VI.**

It shall be in order for committees to consider bills at any time during the session, their reports and the

consideration by either house being governed, however, in accordance with the rules of the house in which said bill is pending.

When any bill shall have been finally acted upon by either branch of the Legislature, and shall have been transmitted to the other, said bill shall be by the presiding officer thereof referred to an appropriate committee, and it shall not be necessary to be voted upon as a prerequisite to its consideration by the receiving branch.

#### Rule VII.

In reckoning the time within which a bill has been introduced, the date of its first introduction in either house shall govern.

The resolution was read second time and referred by the Speaker to Committee on Rules.

#### MESSAGE FROM THE GOVERNOR.

The Speaker laid before the House and had read the following message from the Governor:

Executive Office,  
January 19, 1931.

To the Forty-second Legislature:

Your attention is directed to the fact that recently Honorable L. J. Brucks, Judge of the Thirty-eighth Judicial District, was indicted by a grand jury, organized and impanelled in the District Court for the Thirty-eighth Judicial District, on a charge of operating a motor vehicle while intoxicated, a violation of the penal laws of this State.

The indictment in this case was quashed and the issues of fact were not submitted to a jury. Subsequently he was tried and convicted in a justice of the peace court of Bandera county on a charge of drunkenness and has appealed from this conviction.

In the belief that it is necessary in the maintenance of the dignity of the judiciary of this State, these facts are called to your attention to the end that you may investigate them and determine, after according Judge Brucks a hearing, whether or not he should be removed by the Governor after address by the legislative bodies of this State under the terms of Article 5964, Revised Civil Statutes, 1925.

Respectfully submitted,  
DAN MOODY.

#### RELATIVE TO HOUSE JOINT RESOLUTION NO. 1.

On motion of Mr. McGill, the name of Mr. Anderson was added as one of the signers of House joint resolution No. 1.

#### RELATING TO ADJOURNMENT OF THE HOUSE.

On motion of Speaker Minor, by unanimous consent, the House agreed to adjourn at the conclusion of the inaugural ceremonies until 2 o'clock p. m. tomorrow.

#### INAUGURATION OF GOVERNOR AND LIEUTENANT GOVERNOR.

(In Joint Session.)

At the hour of 11:30 o'clock a. m., fixed by concurrent action of the two houses for the Senate and the House of Representatives to meet in joint session for the purpose of inaugurating the Governor-elect and the Lieutenant Governor-elect, the Honorable Senate, escorted by the Sergeant-at-Arms of the Senate, A. W. Holt, and the Secretary of the Senate, Bob Barker, advanced into the Hall and, by direction of the Speaker of the House, occupied seats prepared for them along the aisle.

Lieutenant Governor Barry Miller, by invitation of the Speaker, occupied a seat on the Speaker's stand, on the right of the Speaker.

Lieutenant Governor Barry Miller directed the Secretary of the Senate to call the roll of the Senate.

The roll of the Senate was called, and the following Senators answered to their names:

Beck.	Oneal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.

Absent.

Cousins.	Thomason.
Pollard.	

Lieutenant Governor Barry Miller announced a quorum of the Senate present.

Speaker Minor directed the Clerk of the House to call the roll of the House.

The roll of the House was called and the following members were present:

Adams of Harris.	Harrison
Adams of Jasper.	of El Paso.
Adamson.	Harrison
Adkins.	of Waller.
Akin.	Hatchitt.
Albritton.	Hefley.
Alsup.	Herzik.
Anderson.	Hill.
Baker.	Hines.
Barron.	Holder.
Beck.	Holland.
Bedford.	Holloway.
Bond.	Hoskins.
Bounds.	Howsley.
Boyd.	Hubbard.
Bradley.	Hughes.
Brice.	Jackson.
Brooks.	Johnson
Bryant.	of Dallam.
Burns	Johnson
of McCulloch.	of Dimmit.
Burns of Walker.	Johnson of Morris.
Carpenter.	Jones of Atascosa.
Caven.	Jones of Shelby.
Claunch.	Justiss.
Coltrin.	Kayton.
Coombes.	Keller.
Cox of Lamar.	Kennedy.
Cox of Limestone.	Laird.
Cunningham.	Lasseter.
Dale.	Lee.
Daniel.	Lemens.
DeWolfe.	Leonard.
Dodd.	Lilley.
Donnell.	Lockhart.
Dowell.	McCombs.
Dunlap.	McDougald.
Dwyer.	McGill.
Elliott.	McGregor.
Engelhard.	Magee.
Farmer.	Mathis.
Farrar.	Metcalfe.
Ferguson.	Moffett.
Finn.	Moore.
Fisher.	Morse.
Forbes.	Munson.
Ford.	Murphy.
Fuchs.	Nicholson.
Gilbert.	Olsen.
Giles.	Patterson.
Goodman.	Petsch.
Graves.	Pope.
Greathouse.	Ramsey.
Grogan.	Ratliff.
Hanson.	Ray.
Hardy.	Reader.
Harman.	Richardson.

Rogers.	Terrell
Rountree.	of Cherokee.
Sanders.	Terrell
Satterwhite.	of Val Verde.
Savage.	Towery.
Scott.	Turner.
Shelton.	Van Zandt.
Sherrill.	Vaughan.
Smith of Bastrop.	Veatch.
Smith of Wood.	Wagstaff.
Sparkman.	Walker.
Stephens.	Warwick.
Stevenson.	Weinert.
Steward.	West of Cameron.
Strong.	West of Coryell.
Sullivant.	Wiggs.
Tarwater.	Wyatt.
	Young.

Absent.

Long.	Westbrook.
Mehl.	

Absent—Excused.

Davis.	Martin.
Duvall.	O'Quinn.

The Speaker announced a quorum of the House present.

In accordance with the concurrent action of the two houses, the joint session retired in a body to the south entrance of the Capitol building for the purpose of inaugurating the Governor-elect and the Lieutenant Governor-elect.

They were joined there by Hon. Dan Moody, Governor, Governor-elect Hon. R. S. Sterling, the Lieutenant Governor-elect, Hon. Edgar Witt, the members of the inaugural committee on the part of the Senate, the members of the inaugural committee on the part of the House, and party.

Dr. W. S. Lockhart, pastor of the South End Christian Church of Houston, at the request of Speaker Minor, offered prayer.

Speaker Minor then directed the Clerk to read the report of the joint committee to arrange for the inauguration of Governor and Lieutenant Governor, as follows:

Austin, Texas, January 20, 1931.

Hon. Barry Miller, President of the Senate, and Honorable Fred H. Minor, Speaker of the House of Representatives:

Sirs: Your committee appointed to arrange for the inauguration of the Governor and the Lieutenant Governor, beg leave to recommend that the House and Senate meet in joint session in the Hall of the House of

Representatives on Tuesday, the twentieth day of January, A. D. 1931, at 12 o'clock noon, and after organization the joint session will proceed in a body to the south entrance of the Capitol building, where all arrangements have been made and the oath of office will be administered to the Governor-elect and the Lieutenant Governor-elect, with Hon. C. M. Cureton, Chief Justice of the Supreme Court of Texas, administering the oath of office.

WOODUL,  
HOLBROOK,  
POAGE,

On the Part of the Senate.

BECK,  
PETSCH,  
SATTERWHITE,  
HOLLAND,  
HUBBARD,

On the Part of the House.

The Speaker of the House and Senator Carl C. Hardin, President Pro Tempore of the Senate, then announced that the two houses were in joint session for the purpose of inaugurating the Governor-elect and the Lieutenant Governor-elect.

Hon. Edgar Witt, Lieutenant Governor-elect, then came forward and took the constitutional oath of office which was administered to him by Chief Justice C. M. Cureton, and he also affixed his signature to the official oath, Chief Justice Cureton attesting same with the great seal of the commonwealth of Texas.

Hon. Carl Hardin, President Pro Tempore of the Senate, presented Hon. Barry Miller to the joint session who in turn introduced Lieutenant Governor Edgar Witt.

Lieutenant Governor Edgar Witt then addressed the joint session and the assemblage.

Hon. Ross S. Sterling, Governor-elect, then came forward and took the constitutional oath of office which was administered to him by Chief Justice Cureton, and he affixed his signature to the official oath, Chief Justice Cureton attesting same with the great seal of the commonwealth of Texas.

Hon. Fred H. Minor, Speaker of the House, presented Hon. Dan Moody who addressed the joint session and assemblage and at the close of his address introduced Hon. Ross S. Sterling, Governor.

Governor Sterling then addressed the joint session and the assemblage.

On motion of Senator Woodul the Senate retired to its Chamber.

#### ADJOURNMENT.

Speaker Minor after stating that the House having already agreed to stand adjourned at the conclusion of the inaugural ceremonies until 2 o'clock p. m. tomorrow, announced that the House therefore stood adjourned at 1 o'clock p. m. until 2 o'clock p. m. tomorrow.

#### FIFTH DAY.

(Wednesday, January 21, 1931.)

The House met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Adams of Harris.	Engelhard.
Adams of Jasper.	Farmer.
Adamson.	Farrar.
Adkins.	Ferguson.
Akin.	Finn.
Albritton.	Fisher.
Alsup.	Forbes.
Anderson.	Ford.
Baker.	Fuchs.
Barron.	Gilbert.
Beck.	Giles.
Bedford.	Goodman.
Bond.	Graves.
Bounds.	Greathouse.
Boyd.	Grogan.
Bradley.	Hanson.
Brice.	Hardy.
Brooks.	Harman.
Bryant.	Harrison
Burns	of El Paso.
of McCulloch.	Harrison
Burns of Walker.	of Waller.
Carpenter.	Hatchitt.
Caven.	Hefley.
Claunch.	Herzik.
Coltrin.	Hill.
Coombes.	Hines.
Cox of Lamar.	Holder.
Cox of Limestone.	Holland.
Cunningham.	Holloway.
Dale.	Hoskins.
Daniel.	Howsley.
Davis.	Hubbard.
DeWolfe.	Hughes.
Dodd.	Jackson.
Donnell.	Johnson
Dowell.	of Dallam.
Dunlap.	Johnson
Dwyer.	of Dimmit.
Elliott.	Johnson of Morris.